



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

AUG 15 2013

Sheila J. Tavares
9254 Cherry Lane, Unit #19
Laurel, MD 20708-1165

Re: 5432 Varnum Street Property
Freedom of Information Act Request: EPA-R3-2013-007642

Dear Ms. Tavares:

In response to the above-referenced Freedom of Information Act (FOIA) request, dated June 25, 2011, and received on June 25, 2011, please be advised that the Land and Chemicals Division processed your request. We are enclosing a copy of our inspection report [Sections I through IX only]. Section X refers to our internal case files which are not part of the report.

You may appeal this response to the National Freedom of Information Officer, U.S. EPA, Records, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, NW (2822T), Washington, DC 20460, Fax: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the FOI listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

If you have any questions, feel free to contact Shanna Halpern, a member of my staff, at (215) 814-3396.

Sincerely,

A handwritten signature in blue ink that reads "Evelyn Velazquez".

Evelyn Velazquez
Environmental Protection Specialist
Land and Chemicals Division

cc: Richard Van Holt (3PA00)



LEAD DISCLOSURE RULE (1018) INSPECTION REPORT

- I. FACILITY:** Sheila J. Tavares, owner of
5432 Varnum Street
Bladensburg, Maryland 20710
301-604-4494
- II. DATE OF INSPECTION:** June 7, 2013
- III. INSPECTOR:** Kurt Rutzmoser, SSAI Employee, SEE Program

KRM
2/21/13

IV. EPA REGION III, LAND AND CHEMICALS DIVISION (LCD)/TOXICS PROGRAMS BRANCH (TPB)

- John A. Armstead, LCD Director
- Harry Daw, LCD Associate Director for Office of Toxics and Pesticides
- Aquanetta L. Dickens, Chief, Toxics Programs Branch

V. PURPOSE OF INSPECTION:

The EPA conducted an inspection on June 7, 2013 of 5432 Varnum Street, Bladensburg, Maryland, owned by Sheila J. Tavares, currently residing at 9254 Cherry Lane # 19, Laurel Maryland, in response to a tip/complaint received from Shellie Boston alleging Sheila J. Tavares' failure to provide proper disclosure before being obligated under the lease contract. The tip/complaint was received on April 15, 2013 from a telephone call. The inspection was performed in order to determine Sheila J. Tavares' level of compliance with the Real Estate Notification and Disclosure Rule.

VI. BACKGROUND INFORMATION:

On May 29, 2013 the EPA contacted Sheila J. Tavares to set up an inspection to determine Sheila J. Tavares' level of compliance with the Real Estate Notification and Disclosure Rule. An inspection was set up for June 7, 2013 and an inspection confirmation letter was sent out to Sheila J. Tavares on May 29, 2013. On May 31, 2013, the date, time and location were verified via e-mail between Sheila J. Tavares and Inspector Rutzmoser. In the May 29th letter, the EPA requested that Sheila J. Tavares make available copies of the leases for the 5432 Varnum Street, Bladensburg, Maryland, 20710.

Sheila J. Tavares owns only one (1) rental property, the 5432 Varnum Street, Bladensburg, Maryland, property. Sheila J. Tavares does not have an active business listing with Dun and Bradstreet, Inc. (D & B).

The tip/complaint was received from Shellie Boston on April 15, 2013 alleging Sheila J.

Tavares' noncompliance with the Lead Disclosure Rule. Shellie Boston was a tenant at 5432 Varnum Street, Bladensburg, Maryland. On April 15, 2013 the EPA sent out a declaration form to Shellie Boston requesting Shellie Boston to provide written testimony regarding the violations observed and to submit pictures and other information to support their allegations. In response to EPA's written request, on April 21, 2013, Shellie Boston submitted a completed declaration form, and provided a copy of the tenants lease.

The violation is alleged to have occurred at 5432 Varnum Street, Bladensburg, Maryland. The latitude/longitude coordinates for this property address are 38.944237 latitude and -76.923650 longitude according to <http://itouchmap.com/latlong.html>.

According to Real Quest, this property was built in 1948. According to Matthew Lee, Environmental Protection Specialist, Office of Enforcement, Compliance and Environmental Justice, this property is located in an environmental justice area. According to Jonathan Klanderud, MDE, Chief, Lead Compliance and Accreditation Division, there have been no known reports of elevated blood lead levels for this property address.

VII. OPENING CONFERENCE

On June 7, 2013 at approximately 9:30 AM, Inspector Kurt Rutzmoser arrived at the prearranged meeting location, 3343 Corridor Market Place, Laurel MD to conduct an inspection to determine Sheila J. Tavares' level of compliance with the Real Estate Notification and Lead Disclosure Rule. Upon arrival, the inspector introduced himself, presented his credentials to Sheila J. Tavares, and explained the purpose of his visit. Inspector Rutzmoser presented and explained the Notice of Inspection Form to Sheila J. Tavares and both the inspector and Sheila J. Tavares signed the form. Next, Inspector Rutzmoser presented and explained the Confidential Business Information Form to Sheila J. Tavares and Sheila J. Tavares signed the form.

After these forms were presented and signed, Inspector Rutzmoser proceeded to explain that the purpose of the inspection was to determine Sheila J. Tavares level of compliance with the Real Estate Notification and Disclosure Rule. The inspector indicated that, as part of the inspection, he would be requesting to see the Landlord copy of the lease for the 5432 Varnum Street property as requested in the inspection confirmation letter sent out on May 29, 2013.

Sheila J. Tavares indicated that she did not have a complete copy of the lease and would fax a complete lease to the EPA office. Sheila J. Tavares said that Shellie Boston and her family had been evicted for failure to pay rent, and that they had done considerable damage to the property during the rental period. She said that this was her first experience as a landlord and that the 5432 Varnum Street property had been her home prior to renting it. She said that the property was well maintained and painted prior to rental.

Sheila J. Tavares also indicated to the inspector that the lease she had used for the rental property she had obtained from a web site, on line. Sheila J. Tavares said that for the calendars years 2012 and 2013 she had not earned any monies on the rental of the property. In addition Sheila J. Tavares emailed inspector Rutzmoser photos of the damaged property.

VIII. REVIEW OF FILES/AVAILABLE DOCUMENTS:

The Landlord's copy of the Lease was faxed to the EPA office on June 10, 2013, for review. The Landlord Lease is listed here:

<u>ADDRESS</u>	<u>LEASE/CONTRACT DATE</u>	<u>YR BLT</u>
5432 Varnum Street, Bladensburg, Maryland	September 8, 2012	1948

IX. CLOSING CONFERENCE

Inspector Rutzmoser provided Sheila J. Tavares with a compliance assistance package and explained its contents and the RRP Rule along with the Real Estate Notification and Lead Disclosure Rule. Inspector Rutzmoser asked Sheila J. Tavares if she had any additional questions. Sheila J. Tavares asked what happens next and the inspector explained that an inspection report would be generated and that it would be reviewed by EPA compliance personnel. A determination of compliance would be made and she would be notified if there were any deficiencies.

Inspector Rutzmoser thanked Sheila J. Tavares for her time and left the premises of 3343 Corridor Market Place, Laurel, Maryland, at approximately 10:10 AM.

X. CASE FILE ATTACHMENTS:

1. Inspection Confirmation Letter – in Background Section
2. TSCA Inspection Forms (CBI, NOI, Receipt for Docs.) – in NOI/CBI/Receipt for Docs Section
3. D & B Business Report – in D&B Section
4. Completed Tip/Complaint Form – in T/C Form Section
5. Completed an Signed Declaration Form – in T/C Form Section
6. Letter Transmitted Requesting Declaration Form (copy of signed and dated) – in Background Section
7. ICIS Entry Form – in ICIS Entry Form Section
8. Real Quest Property Profile/MLS Listings – in Property Ownership Section
9. Lease Contracts' – in Leases/Agreements of Sale Section
10. EBLL History or No History) on Property Addresses – in Background Section
11. Inspection Checklist – In Inspection Checklist Section